

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JUDY KIRKBRIDE, *et al.*,

Plaintiffs,

vs.

**Case No. 2:21-cv-22
Chief Judge Algenon L. Marbley
Magistrate Judge Elizabeth P. Deavers**

THE KROGER CO.,

Defendant.

ORDER

Plaintiff has filed an unopposed Motion seeking to dismiss without prejudice, pursuant to Federal Rule of Civil Procedure 21, Plaintiff Patricia Berger's claims against The Kroger Co. (ECF No. 67.) The Motion is **GRANTED** and Plaintiff Patricia Berger's claims against The Kroger Co. are **DISMISSED** without prejudice. (ECF No. 67.)

IT IS SO ORDERED.

DATED: January 3, 2024

/s/ Elizabeth A. Preston Deavers
**ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE**